

MESSAGE NO: 5216111 MESSAGE DATE: 08/03/1995

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-826, A-357-809, A-428-820,
A-475-814

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/03/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER & AMENED FINAL DETERMINATION ON CERTAIN
SMALL DIAMETER SEAMLESS CARBON & ALLOY STEEL, STANDARD, LINE & PRESSURE
PIPE

MESSAGE NO: 5216111

DATE: 08 03 1995

CATEGORY: ADA

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CASES: A - 357 - 809

A - 351 - 826

A - 428 - 820

A - 475 - 814

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- -

PERIOD COVERED: 08 03 1995 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING DUTY ORDER & AMENED FINAL DETERMINATION ON
CERTAIN SMALL DIAMETER SEAMLESS CARBON & ALLOY STEEL,
STANDARD, LINE & PRESSURE PIPE

1. ON AUGUST 3, 1995, THE DEPARTMENT OF COMMERCE WILL PUBLISH
IN THE FEDERAL REGISTER ITS ANTIDUMPING DUTY ORDERS AND AMENDED
FINAL DETERMINATIONS, IN THE INVESTIGATIONS OF SMALL DIAMETER
CIRCULAR SEAMLESS CARBON AND ALLOY STEEL STANDARD, LINE AND
PRESSURE PIPE (SEAMLESS PIPE) FROM ARGENTINA, BRAZIL, GERMANY,
AND ITALY.

2. THE SCOPE OF THIS INVESTIGATION INCLUDES SEAMLESS PIPES

PRODUCED TO THE ASTM A-335, ASTM A-106, ASTM A-53 AND API 5L SPECIFICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED BELOW, REGARDLESS OF APPLICATION. THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES ALL PRODUCTS USED IN STANDARD, LINE, OR PRESSURE PIPE APPLICATIONS AND MEETING THE PHYSICAL PARAMETERS BELOW, REGARDLESS OF SPECIFICATION.

FOR PURPOSES OF THIS INVESTIGATION, SEAMLESS PIPES ARE SEAMLESS CARBON AND ALLOY (OTHER THAN STAINLESS) STEEL PIPES, OF CIRCULAR CROSS-SECTION, NOT MORE THAN 114.3MM (4.5 INCHES) IN OUTSIDE DIAMETER, REGARDLESS OF WALL THICKNESS, MANUFACTURING PROCESS (HOT-FINISHED OR COLD-DRAWN), END FINISH (PLAIN END, BEVELLED END, UPSET END, THREADED, OR THREADED AND COUPLED), OR SURFACE FINISH. THESE PIPES ARE COMMONLY KNOWN AS STANDARD PIPE, LINE PIPE OR PRESSURE PIPE, DEPENDING UPON THE APPLICATION. THEY MAY ALSO BE USED IN STRUCTURAL APPLICATIONS. PIPES PRODUCED IN NON-STANDARD WALL THICKNESSES ARE COMMONLY REFERRED TO AS TUBES.

THE SEAMLESS PIPES SUBJECT TO THESE INVESTIGATIONS ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7304.10.10.20, 7304.10.50.20, 7304.31.60.50, 7304.39.00.16, 7304.39.00.20, 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.51.50.05, 7304.51.50.60, 7304.59.60.00, 7304.59.80.10, 7304.59.80.15, 7304.59.80.20, AND 7304.59.80.25 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

THE FOLLOWING INFORMATION FURTHER DEFINES THE SCOPE OF THESE INVESTIGATIONS WHICH COVERS PIPES MEETING THE PHYSICAL PARAMETERS DESCRIBED ABOVE:

SPECIFICATIONS, CHARACTERISTICS AND USES: SEAMLESS PRESSURE PIPES ARE INTENDED FOR THE CONVEYANCE OF WATER, STEAM, PETROCHEMICALS, CHEMICALS, OIL PRODUCTS, NATURAL GAS AND OTHER LIQUIDS AND GASSES IN INDUSTRIAL PIPING SYSTEMS. THEY MAY CARRY THESE SUBSTANCES AT ELEVATED PRESSURES AND TEMPERATURES AND MAY BE SUBJECT TO THE APPLICATION OF EXTERNAL HEAT.

SEAMLESS CARBON STEEL PRESSURE PIPE MEETING THE AMERICAN

SOCIETY FOR TESTING AND MATERIALS (ASTM) STANDARD A-106 MAY BE USED IN TEMPERATURES OF UP TO 1000 DEGREES FAHRENHEIT, AT VARIOUS AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME) CODE STRESS LEVELS. ALLOY PIPES MADE TO ASTM STANDARD A-335 MUST BE USED IF TEMPERATURES AND STRESS LEVELS EXCEED THOSE ALLOWED FOR A-106 AND THE ASME CODES. SEAMLESS PRESSURE PIPES SOLD IN THE UNITED STATES ARE COMMONLY PRODUCED TO THE ASTM A-106 STANDARD.

SEAMLESS STANDARD PIPES ARE MOST COMMONLY PRODUCED TO THE ASTM

A-53 SPECIFICATION AND GENERALLY ARE NOT INTENDED FOR HIGH TEMPERATURE SERVICE. THEY ARE INTENDED FOR THE LOW TEMPERATURE AND PRESSURE CONVEYANCE OF WATER, STEAM, NATURAL GAS, AIR AND OTHER LIQUIDS AND GASSES IN PLUMBING AND HEATING SYSTEMS, AIR CONDITIONING UNITS, AUTOMATIC SPRINKLER SYSTEMS, AND OTHER RELATED USES. STANDARD PIPES (DEPENDING ON TYPE AND CODE) MAY CARRY LIQUIDS AT ELEVATED TEMPERATURES BUT MUST NOT EXCEED RELEVANT ASME CODE REQUIREMENTS.

SEAMLESS LINE PIPES ARE INTENDED FOR THE CONVEYANCE OF OIL AND NATURAL GAS OR OTHER FLUIDS IN PIPE LINES. SEAMLESS LINE PIPES ARE PRODUCED TO THE API 5L SPECIFICATION.

SEAMLESS PIPES ARE COMMONLY PRODUCED AND CERTIFIED TO MEET ASTM A-106, ASTM A-53 AND API 5L SPECIFICATIONS. SUCH TRIPLE CERTIFICATION OF PIPES IS COMMON BECAUSE ALL PIPES MEETING THE STRINGENT A-106 SPECIFICATION NECESSARILY MEET THE API 5L AND ASTM A-53 SPECIFICATIONS.

PIPES MEETING THE API 5L SPECIFICATION NECESSARILY MEET THE ASTM A-53 SPECIFICATION. HOWEVER, PIPES MEETING THE A-53 OR API 5L SPECIFICATIONS DO NOT NECESSARILY MEET THE A-106

SPECIFICATION. TO AVOID MAINTAINING SEPARATE PRODUCTION RUNS AND SEPARATE INVENTORIES, MANUFACTURERS TRIPLE CERTIFY THE PIPES. SINCE DISTRIBUTORS SELL THE VAST MAJORITY OF THIS PRODUCT, THEY CAN THEREBY MAINTAIN A SINGLE INVENTORY TO SERVICE ALL CUSTOMERS.

THE PRIMARY APPLICATION OF ASTM A-106 PRESSURE PIPES AND TRIPLE CERTIFIED PIPES IS IN PRESSURE PIPING SYSTEMS BY REFINERIES, PETROCHEMICAL PLANTS AND CHEMICAL PLANTS. OTHER APPLICATIONS ARE IN POWER GENERATION PLANTS (ELECTRICAL-FOSSIL FUEL OR NUCLEAR), AND IN SOME OIL FIELD USES (ON SHORE AND OFF SHORE) SUCH AS FOR SEPARATOR LINES, GATHERING LINES AND METERING RUNS. A MINOR APPLICATION OF THIS PRODUCT IS FOR USE AS OIL AND GAS DISTRIBUTION LINES FOR COMMERCIAL APPLICATIONS. THESE APPLICATIONS CONSTITUTE THE MAJORITY OF THE MARKET FOR THE SUBJECT SEAMLESS PIPES. HOWEVER, A-106 PIPES MAY BE USED IN SOME BOILER APPLICATIONS.

THE SCOPE OF THESE INVESTIGATIONS INCLUDES ALL SEAMLESS PIPE MEETING THE PHYSICAL PARAMETERS DESCRIBED ABOVE AND PRODUCED TO ONE OF THE SPECIFICATIONS LISTED ABOVE, REGARDLESS OF APPLICATION, AND WHETHER OR NOT ALSO CERTIFIED TO A NON-COVERED SPECIFICATION. STANDARD, LINE AND PRESSURE APPLICATIONS AND THE ABOVE-LISTED SPECIFICATIONS ARE DEFINING CHARACTERISTICS OF THE SCOPE OF THESE INVESTIGATIONS. THEREFORE, SEAMLESS PIPES MEETING THE PHYSICAL DESCRIPTION ABOVE, BUT NOT PRODUCED TO THE A-335, A-106, A-53, OR API 5L STANDARDS SHALL BE COVERED IF USED IN A STANDARD, LINE OR PRESSURE APPLICATION.

FOR EXAMPLE, THERE ARE CERTAIN OTHER ASTM SPECIFICATIONS OF PIPE WHICH, BECAUSE OF OVERLAPPING CHARACTERISTICS, COULD POTENTIALLY BE USED IN A-106 APPLICATIONS. THESE SPECIFICATIONS GENERALLY INCLUDE A-162, A-192, A-210, A-333, AND A-524. WHEN SUCH PIPES ARE USED IN A STANDARD, LINE OR PRESSURE PIPE APPLICATION, SUCH PRODUCTS ARE COVERED BY THE SCOPE OF THESE INVESTIGATIONS.

SPECIFICALLY EXCLUDED FROM THESE INVESTIGATIONS ARE BOILER TUBING AND MECHANICAL TUBING, IF SUCH PRODUCTS ARE NOT PRODUCED TO A-335, A-106, A-53 OR API 5L SPECIFICATIONS AND ARE NOT USED IN STANDARD, LINE OR PRESSURE APPLICATIONS. IN ADDITION, FINISHED AND UNFINISHED OCTG ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION, IF COVERED BY THE SCOPE OF ANOTHER

ANTIDUMPING DUTY ORDER FROM THE SAME COUNTRY. IF NOT COVERED BY SUCH AN OCTG ORDER, FINISHED AND UNFINISHED OCTG ARE INCLUDED IN THIS SCOPE WHEN USED IN STANDARD, LINE OR PRESSURE APPLICATIONS. FINALLY, ALSO EXCLUDED FROM THESE INVESTIGATIONS ARE REDRAW HOLLOWS FOR COLD-DRAWING WHEN USED IN THE PRODUCTION OF COLD-DRAWN PIPE OR TUBE.

ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE INVESTIGATIONS IS DISPOSITIVE.

3. THE DEPARTMENT OF COMMERCE INCLUDES END-USE AS A CRITERION IN THE SCOPE OF THESE INVESTIGATIONS. AT THIS TIME, THE DEPARTMENT HAS NO EVIDENCE INDICATING THAT BOILER TUBING, MECHANICAL TUBING OR OIL COUNTRY TUBULAR GOODS, NOT ALSO CERTIFIED TO ASTM-A-53, ASTM-A-106, ASTM-A-335, OR API-5L SPECIFICATIONS, ARE BEING IMPORTED FOR USE IN STANDARD, LINE OR PRESSURE PIPE APPLICATIONS. THEREFORE, UNTIL FURTHER NOTICE, THE CUSTOMS SERVICE SHALL NOT SUSPEND LIQUIDATION ON THESE PRODUCTS PURSUANT TO THE ANTIDUMPING ORDERS OF THESE INVESTIGATIONS.

4. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED INVESTIGATION NUMBERS: GERMANY A-428-820
BRAZIL A-351-826 ARGENTINA A-357-809 ITALY
A-475-814.

5. FOR IMPORTS OF SEAMLESS PIPE FROM ARGENTINA, BRAZIL, GERMANY, AND ITALY, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER JANUARY

27, 1995. EFFECTIVE AUGUST 3, 1995, CUSTOMS SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE MARGINS SHOWN BELOW.

MANUFACTURER/PRODUCER	IDENTIFICATION	WEIGHTED-AVERAGE
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EXPORTER	NUMBER	MARGIN PERCENTAGE
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ARGENTINA SIDERCA S.A.I.C.	A-357-809-001	108.13
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ALL OTHERS	A-357-809-000	108.13
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BRAZIL MANNESMANN S.A.	A-351-826-001	124.94
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ALL OTHERS	A-351-826-000	124.94
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GERMANY MANNESMANNROHREN-WERKE AG	A-428-820-001	57.72
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ALL OTHERS	A-428-820-000	57.72
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ITALY DALMINE, S.p.A.	A-475-814-001	1.84
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ALL OTHERS	A-475-814-000	1.84
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5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/

COUNTERVAILING DUTY, USING TO ATTRIBUTE "HQ OAB."

THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT IRENE DARZENTA OR JAMES TERPSTRA, OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-6320 OR (202) 482-3965, RESPECTIVELY.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

NOTE: THIS MESSAGE WAS INADVERTENTLY REMOVED FROM ADIL SO HAS BEEN REPOSTED TO ADIL ON NOVEMBER 23, 2009. THE ORIGINAL

MESSAGE WAS SENT TO REGIONAL DIRECTORS, COMMERCIAL OPERATIONS,

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. DIRECTOR, TECHNICAL PROGRAMS IS NOW SHOWN AS DIRECTOR, SPECIAL ENFORCEMENT. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED AND MATCHES THE MESSAGE THAT STILL APPEARS ON THE ADD/CVD SEARCH APPLICATION ON CBP.GOV.

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party